



January 15, 2015

SENATE BILL No. 173

DIGEST OF SB 173 (Updated January 13, 2015 12:31 pm - DI 106)

Citations Affected: IC 11-10.

Synopsis: DOC specialized vocational program. Permits the department of correction to establish a specialized vocational program to train minimum security inmates in trades such as truck driving, manufacturing, plumbing, construction, and heating, ventilation, and air conditioning.

Effective: July 1, 2015.

Young R Michael

January 6, 2015, read first time and referred to Committee on Corrections & Criminal Law.
January 14, 2015, amended, reported favorably — Do Pass.

SB 173—LS 6280/DI 106



January 15, 2015

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 173

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 11-10-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:

4 **Chapter 16. Specialized Vocational Program**

5 **Sec. 1. (a) Before January 1, 2016, the department may provide**
6 **a specialized vocational program to train minimum security risk**
7 **inmates in a trade that is capable of providing an inmate with**
8 **employment paying a sustainable wage.**

9 **(b) The specialized vocational program may include training in:**

10 **(1) truck driving;**

11 **(2) manufacturing;**

12 **(3) plumbing;**

13 **(4) heating, ventilation, and air conditioning; and**

14 **(5) construction.**

15 **(c) An inmate may participate in a specialized vocational**
16 **program only if the inmate is eligible to work outside a perimeter**

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fence.

Sec. 2. (a) The department may require the following criteria for admission into a specialized vocational program:

(1) An inmate with less than twenty-four (24) months until the inmate's expected release date may be given preference for participation in the specialized vocational program.

(2) An inmate who has been disciplined for misconduct within the previous year is not eligible for participation in the specialized vocational program.

(3) An inmate who presents a security risk is not eligible for participation in the specialized vocational program.

(4) An inmate who is under the care of a physician is eligible for participation in the specialized vocational program if the physician determines that the inmate can meaningfully and safely participate in the program.

(b) The department may require an inmate to have successfully completed or be currently enrolled in other programs provided by the department, including:

(1) a drug addiction and alcoholism treatment program;

(2) an employment skills and vocational program;

(3) a personal responsibility program;

(4) a peer support program;

(5) a motivation program;

(6) a parenting program; and

(7) a program in preparation for a state of Indiana general educational development (GED) diploma.

Sec. 3. (a) The superintendent may appoint a person to direct the specialized vocational program. Each facility that has a specialized vocational program must have a facility manager to direct the program.

(b) The director shall do the following:

(1) Establish and oversee the day to day operations of the specialized vocational program.

(2) Recruit volunteers and businesses to provide instruction and training in:

(A) the specialized vocational program; and

(B) any related certification program.

(3) Provide information requested by the superintendent regarding an inmate or a specialized vocational program.

(4) Determine the appropriate number of inmates in each specialized vocational program, considering the availability of:



1 (A) qualified staff; and

2 (B) appropriate facilities and equipment.

3 The director may remove one (1) or more inmates from a
4 program if necessary to comply with this subdivision.

5 (5) Remove an inmate from a specialized vocational program
6 at any time due to:

7 (A) misconduct;

8 (B) security issues;

9 (C) safety issues;

10 (D) health concerns; or

11 (E) lack of meaningful participation in the program.

12 (6) Carry out other duties concerning the specialized
13 vocational program as directed by the superintendent.

14 Sec. 4. (a) An inmate who wishes to participate in a specialized
15 vocational program must submit a written application to the
16 director. The application must be on a form prescribed by the
17 department.

18 (b) The director shall review each application and, not more
19 than thirty (30) days after receipt of the application, issue a written
20 decision to the inmate.

21 (c) The director shall determine eligibility in accordance with
22 this chapter. In addition, the director may consider any other
23 relevant information contained in the inmate's written application
24 that may have a bearing on the inmate's ability to successfully
25 complete the specialized vocational program, including the
26 inmate's demonstrated interest in the program.



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 173, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "shall adopt" and insert "**may provide**".

Page 1, line 6, delete "rules under IC 4-22-2 to establish".

Page 1, line 13, delete "and".

Page 1, line 14, delete "conditioning." and insert "**conditioning; and**

(5) construction.".

Page 2, line 2, delete "shall adopt rules under IC 4-22-2 to" and insert "**may require the following**".

Page 2, line 3, delete "establish".

Page 2, line 4, delete "program." and insert "**program:**

(1) An inmate with less than twenty-four (24) months until the inmate's expected release date may be given preference for participation in the specialized vocational program.

(2) An inmate who has been disciplined for misconduct within the previous year is not eligible for participation in the specialized vocational program.

(3) An inmate who presents a security risk is not eligible for participation in the specialized vocational program.

(4) An inmate who is under the care of a physician is eligible for participation in the specialized vocational program if the physician determines that the inmate can meaningfully and safely participate in the program.

(b) The department may require an inmate to have successfully completed or be currently enrolled in other programs provided by the department, including:

(1) a drug addiction and alcoholism treatment program;

(2) an employment skills and vocational program;

(3) a personal responsibility program;

(4) a peer support program;

(5) a motivation program;

(6) a parenting program; and

(7) a program in preparation for a state of Indiana general educational development (GED) diploma."

Page 2, delete lines 5 through 33.

Page 2, line 34, delete "shall" and insert "**may**".

Page 2, line 34, delete "serve as" and insert "**direct**".



Page 2, line 35, delete "director of".

Page 2, line 36, delete "separate" and insert "**facility manager to direct the program.**".

Page 2, delete line 37.

Page 3, delete lines 34 through 42.

Delete page 4.

and when so amended that said bill do pass.

(Reference is to SB 173 as introduced.)

YOUNG R MICHAEL, Chairperson

Committee Vote: Yeas 9, Nays 1.

